IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

Crl.MC.No. 486 of 2007

AGAINST THE ORDER IN BA.960/2007
CRIME NO.11/2007 OF HARBOUR POLICE STATION

.....

PETITIONER:

RAYA MARAKKAR VEETIL GORILAPPARAMBIL KOYA,
AGED 56 YEARS, VIII/117,
R.O. HOUSE, ORUMANAYOOR, THRISSUR.

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS:

---

1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, EKM.

2. THE STATION HOUSE OFFICER, HARBOUR POLICE,
STATION, ERNAKULAM

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 23.2.2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Crl.M.C. No. 486/2007

Dated this 23rd day of February, 2007

O R D E R

As per the common order dated 21.2.2007 in B.A.Nos.960/2007 and 1021/2007, this Court granted bail to the petitioner who is involved in two crimes, one before the Customs House, Cochin, and the other before the Harbour Police. While granting bail, he was directed to be released by the Additional C.J.M. (Economic Offences), Eranakulam, which can obviously relate only to the Customs offence. With regard to Crime No. 11/2007 before the Harbour police for an offence punishable under Section 25(1)(a) of the Arms Act, 1959, there was no specific direction to the Magistrate concerned to release the petitioner on bail or the conditions on which bail was granted. Hence, this petition for clarification.

2. The learned counsel for the petitioner submitted that he had already been granted bail by the Additional C.J.M. (Economic Offences), Eranakulam, with regard to the customs offence and that the petitioner has been unable to get bail in the other case due to the ambiguity in the bail order.

3. Accordingly, the petitioner who is the accused in Crime No.11/2007 of Harbour Police Station is directed to be

released on bail on his executing a bond for Rs.25,000/- (Twenty Five Thousand Rupees only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-I, Eranakulam and subject to the following conditions:-

(a). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(b). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(c). The petitioner shall not commit any offence while on bail.

5. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs